

against the proposition: "The amendment to the Texas Constitution expanding the types of liens for home equity loans that a lender, with the homeowner's consent, may place against a homestead."

Passed by the House on May 9, 1997: Yeas 112, Nays 36, 1 present, not voting; the House concurred in Senate amendments to H.J.R. No. 31 on May 29, 1997: Yeas 116, Nays 25, 2 present, not voting; the House adopted H.C.R. No. 326 authorizing certain corrections in H.J.R. No. 31 on May 31, 1997, by a non-record vote; passed the Senate, with amendments, on May 26, 1997: Yeas 22, Nays 7, 2 present, not voting; the Senate adopted H.C.R. No. 326 authorizing certain corrections in H.J.R. No. 31 on June 1, 1997, by a viva-voce vote.

Filed with the Secretary of State June 3, 1997.

H.J.R. No. 55

A JOINT RESOLUTION

proposing a constitutional amendment relating to a deadline for supreme court action on a motion for rehearing.

BE IT RESOLVED BY THE Legislature of the State of Texas:

SECTION 1. Section 31, Article V, Texas Constitution, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding Section 1, Article II, of this constitution and any other provision of this constitution, if the supreme court does not act on a motion for rehearing before the 180th day after the date on which the motion is filed, the motion is denied.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to establish a deadline for supreme court action on a motion for rehearing."

Passed by the House on April 16, 1997: Yeas 145, Nays 0, 1 present, not voting; passed by the Senate on May 21, 1997: Yeas 30, Nays 0.

Filed with the Secretary of State May 22, 1997.

H.J.R. No. 59

A JOINT RESOLUTION

proposing a constitutional amendment limiting debt payable from the general revenue fund.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III, Texas Constitution, is amended by adding Section 49-j to read as follows:

Sec. 49-j. (a) The legislature may not authorize additional state debt if the resulting annual debt service exceeds the limitation imposed by this section. The maximum annual debt service in any fiscal year on state debt payable from the general revenue fund may not exceed five percent of an amount equal to the average of the amount of general revenue fund revenues, excluding revenues constitutionally dedicated for purposes other than payment of state debt, for the three preceding fiscal years.

(b) For purposes of this section, "state debt payable from the general revenue fund" means general obligation and revenue bonds, including authorized but unissued bonds, and lease-purchase agreements in an amount greater than \$250,000, which bonds or lease purchase agreements are designed to be repaid with the general revenues of the state. The term does not include bonds that, although backed by the full faith or credit of the state, are reasonably expected to be paid from other revenue sources and that are not expected to create a general revenue draw. Bonds or lease purchase agreements that pledge the full faith and credit of

PROPOSED CONSTITUTIONAL AMENDMENTS

H.J.R. 96, § 1

the state are considered to be reasonably expected to be paid from other revenue sources if they are designed to receive revenues other than state general revenues sufficient to cover their debt service over the life of the bonds or agreement. If those bonds or agreements, or any portion of the bonds or agreements, subsequently requires use of the state's general revenue for payment, the bonds or agreements, or portion of the bonds or agreements, is considered to be a "state debt payable from the general revenue fund" under this section, until:

(1) the bonds or agreements are backed by insurance or another form of guarantee that ensures payment from a source other than general revenue; or

(2) the issuer demonstrates to the satisfaction of the Bond Review Board or its successor designated by law that the bonds no longer require payment from general revenue, and the Bond Review Board so certifies to the Legislative Budget Board or its successor designated by law.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 4, 1997. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment limiting the amount of state debt payable from the general revenue fund."

Passed by the House on April 9, 1997: Yeas 143, Nays 1, 2 present, not voting; passed by the Senate on May 7, 1997: Yeas 31, Nays 0.

Filed with the Secretary of State May 8, 1997.

H.J.R. No. 83

A JOINT RESOLUTION

proposing a constitutional amendment to allow the legislature to prescribe the qualifications of constables.

BE IT RESOLVED BY THE Legislature of the State of Texas:

SECTION 1. Section 18, Article V, Texas Constitution, is amended by adding Subsection (g) to read as follows:

(g) The Legislature by general law may prescribe the qualifications of constables.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 1997. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to allow the legislature to prescribe the qualifications of constables."

Passed by the House on April 29, 1997: Yeas 108, Nays 38, 1 present, not voting; passed by the Senate on May 19, 1997: Yeas 28, Nays 2.

Filed with the Secretary of State May 20, 1997.

H.J.R. No. 96

A JOINT RESOLUTION

proposing a constitutional amendment to authorize the legislature to authorize an ad valorem tax of five cents for each \$100 of taxable property in rural fire prevention districts located in Harris County.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 48-d, Article III, Texas Constitution, is amended to read as follows:

Sec. 48-d. (a) The Legislature shall have the power to provide for the establishment and creation of rural fire prevention districts and, *except as provided by Subsection (b) of this section*, to authorize a tax on the ad valorem property situated in said districts not to exceed Three (3c) Cents on the One Hundred (\$100.00) Dollars valuation for the support thereof.